

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 22-20449-CR-MOORE/LOUIS

UNITED STATES OF AMERICA

vs.

MATTHEW LEON CHILCUTT,

Defendant.

FACTUAL PROFFER

The United States of America (the “United States”) and Defendant MATTHEW LEON CHILCUTT (hereinafter referred to as “Defendant”) agree that, were this case to proceed to trial, the United States would prove beyond a reasonable doubt the following facts, among others, which occurred in the Southern District of Florida:

1. The premises located at 299 East Broward Boulevard, Fort Lauderdale, Florida (hereinafter, the “Premises”), including the U.S. Federal Building and Courthouse located thereon (hereinafter, the “Courthouse”), is property of the United States.

2. On September 5, 2022, the Courthouse was closed in observance of the Labor Day federal holiday, and all public entrances to Courthouse were locked. On that day, at approximately 9:03 a.m., Defendant forced his way into the Courthouse by physically pulling and forcibly opening the locked doors at the main entrance of the Courthouse. Defendant’s forcible entry into the Courthouse was captured on surveillance video at the Courthouse.

3. While on the Premises, Defendant willfully injured and committed a depredation against United States property, including smashing glass windows; breaking and destroying interior and exterior doors; causing water damage; and breaking and destroying other United States property located on the Premises within the interior and exterior of the Courthouse. Surveillance video at the Courthouse recorded Defendant damaging and destroying United States property, including smashing glass and other objects.

4. While Defendant was on the Premises, private security personnel assigned to the Courthouse observed, by physical inspection and viewing of surveillance video, damage to the interior and exterior of the Courthouse, including broken glass. The private security personnel observed Defendant inside the Courthouse, made contact with Defendant inside the Courthouse, and called 911.

5. At approximately 10:00 a.m., law enforcement officers with the Fort Lauderdale Police Department ("FLPD") arrived at the Premises and entered the Courthouse. While searching the Courthouse, FLPD officers found Defendant inside the Courthouse and arrested him. FLPD officers observed small cuts on Defendant's back, consistent with the broken glass found throughout the Courthouse.

6. Following Defendant's arrest by FLPD, law enforcement performed a protective sweep of the interior and exterior of the Courthouse, including the use of canine units, and found no other unauthorized persons on the Premises.

7. While in custody, Defendant was advised of his Miranda rights, waived his right to remain silent, and made statements in response to questions from law enforcement establishing that Defendant had caused the damage to the Courthouse and that Defendant had acted alone.

8. As a result of Defendant willfully injuring and committing a depredation against the Courthouse on September 5, 2022, Defendant caused damage to United States property in the approximate amount of \$71,933.20.

9. The United States would prove the facts set forth in this proffer, among others, with documentary and testimonial evidence admissible at trial under the Federal Rules of Evidence, including, but not limited to: surveillance video footage from the Courthouse; FLPD body worn Camera video and audio recording of Defendant's arrest inside the Courthouse, including Defendant's spontaneous statements; crime scene photographs at the Courthouse; testimony of law enforcement officers, including FLPD responding officers, FLPD detectives, and special agents and officers of the Federal Protective Service of the U.S. Department of Homeland Security; Defendant's post-Miranda recorded statements; 911 calls and radio traffic; Defendant's social media postings; and testimony of witnesses from the General Services Administration (GSA) and GSA records.

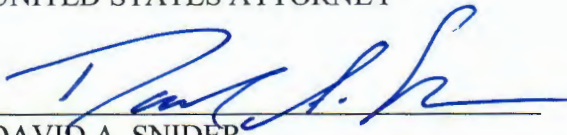
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10. The United States and Defendant agree that these facts, which do not include all facts known to the United States and Defendant, are sufficient to prove beyond a reasonable doubt the elements of depredation against any property of the United States, causing damage exceeding \$1,000, in violation of Title 18, United States Code, Section 1361, and that Defendant is in fact guilty of that offense as charged in the Indictment in this case.

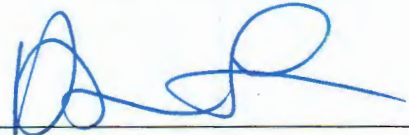
MARKENZY LAPOINTE
UNITED STATES ATTORNEY

Date: 11/09/23

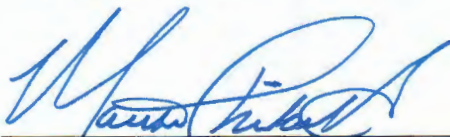
By:


DAVID A. SNIDER
ASSISTANT UNITED STATES ATTORNEY

Date: 11/9/23


BUNMI LOMAX
ASSISTANT FEDERAL PUBLIC DEFENDER
ATTORNEY FOR DEFENDANT

Date: 11/9/23


MATTHEW LEON CHILCUTT
DEFENDANT